

**San Luis Obispo County Storm Water Management Program
Response to Comments from San Luis Obispo Coastkeeper February 26, 2007
Letter**

Note: SLO Coastkeeper included five specific comments in their February 26, 2007 comment letter. Three of the comments repeat comments made in their October 2, 2006 letter and are addressed in response to comments for that letter in this document. The two new comments are addressed below.

1. The proposed Board Resolution should require a monitoring program with clearly defined numeric goals.

Response: The General Municipal Permit does not require water quality monitoring. The County is required to implement BMPs that reduce pollutant discharges to the MEP. The County has committed to support the introduction of Urban Watch, First Flush, and Snapshot Day citizens monitoring programs. Citizen water quality monitoring programs do not currently exist in the County, so the County will help implement the new programs. The draft Resolution requires that the County identify in each annual report, the number and type of monitoring events planned for the upcoming year, and what the County's role in those events will be. Once the County identifies the coming year's projects in the Annual Report, during the year the County may substitute equivalent events or add events as opportunities arise.

2. A clear budgetary commitment that the County intends to meet the federally mandated maximum extent practical (MEP) standard.

Response: The County is required to meet the MEP standard. The County submitted a budget estimate letter dated September 11, 2006, indicating that the County's estimated annual SWMP implementation costs for permit year one will be \$1.64 million¹. This represents spending of over \$70 per household, well in excess of the costs in the January 2005 State Water Board NPDES Stormwater Cost Survey, which ranged from \$18-\$46 per household.

The commenter does not indicate whether particular BMPs were excluded based on a lack of technical feasibility, or whether particular additional BMPs should be included or developed.

Response to Comments from San Luis Obispo Coastkeeper October 2, 2006 Letter

3. The Public Education and Outreach measures fail to meet the federally mandated maximum extent practicable (MEP) standard. For instance: While we agree that the "Sammy the Steelhead" campaign is a high quality effort that is broadcast widely, the SWMP does not clearly demonstrate that the stated goal (changed behavior) will either be achieved or even measured. (p 2, paragraph 1.)

¹ County of San Luis Obispo September 11, 2006, Budget Letter submittal to the Water Board.

Response: The first step in changing behavior is raising awareness. The SWMP includes numerous public education and outreach BMPs focused on raising the public's urban runoff awareness. The County will administer public surveys in years one, three, and five to measure public opinion and awareness of polluted urban runoff. BMP PE25 indicates that the County will implement Community Based Social Marketing incentive programs to motivate storm water pollution prevention behavior changes.

4. It appears that the County's public participation has confused goals and purposes of the public education and outreach MCM. Program development and implementation are what distinguishes this minimum control measure (MCM) from the Public Education and Outreach component. (p 2, paragraph 2.)

Response: The Public Participation and Involvement MCM incorporates program development and implementation along with public involvement and education. The purpose of the public participation MCM is not only to provide an opportunity for input during program development, but also provide an opportunity for the public to become involved in storm water related activities which will increase public awareness about urban runoff. Public participation helps the County better understand public perceptions and attitudes toward water quality.

5. Past creek and beach clean-up days have been successful to a great degree. However, progress and effectiveness should be measures of behavioral changes and actual improvement in water quality as opposed to the number of people who either participated, showed up at a meeting, or filled bags with trash. (p 2, paragraph 3.)

Response: Tracking the number of event participants not only tracks people's behavior, it also provides feedback for the public outreach and education MCM. Additionally, the County will conduct public surveys to evaluate program effectiveness and evaluate behavior changes. Tracking the amount of trash collected during the events will also provide an indication of whether the County's program is effective in getting the message to citizens and whether citizens are then changing their behavior as a result. The County will report implementation and effectiveness evaluation in its annual report.

6. The Illicit Discharge Detection and Elimination measure fails to meet the MEP standard. The document is vague and unclear regarding how enforcement will be carried out given current staffing levels. The absence of commitment to funding this element clearly does not provide enough information to determine if illicit discharges will actually be detected or, in fact eliminated. (p 2, paragraph 4.)

Response: The County will adopt an ordinance prohibiting illicit discharges and providing the County with enforcement authority in permit year two. The types of enforcement and how enforcement is carried out will depend on the ordinance itself. The County indicates that it will spend \$400,000 (September 11, 2006, County budget letter) on the illicit discharge detection and elimination minimum control measure.

7. One example of the weakness of the County SWMP is the ongoing septic system discharge problem in Los Osos. The County is the sole authority to implement a Septic System Management Program in unincorporated areas. In Los Osos, septic systems in areas where discharges regularly contaminate storm water runoff are mapped and well known. Yet no enforcement has been exercised to date. The County SWMP contains no clear, measurable action that would address this problem area. (p 2, paragraph 5.)

Response: The County will adopt a storm water ordinance, in permit year two, prohibiting non-stormwater discharges to the municipal separate storm sewer system (IL1A). The County will establish a system of enforcement and penalties in permit year three (IL1C). The County will inspect septic systems once every four years starting in permit year two (IL7C).

8. The Construction Site Storm Water Runoff Control Program is impermissibly vague, fails to include detailed requirements and commitments for implementation. What the County has offered in reality is a plan to create requirements in the future. Recent Region 3 experience with County grading ordinance and enforcement at the Kelegian and Pierson properties is a compelling demonstration of the risk to County waterways should this element remain weak and under funded. (p 2, paragraph 6.)

Response: The SWMP includes numerous construction BMPs. The County will adopt an ordinance that will include erosion and sediment control requirements and enforcement provisions. The County will conduct plan reviews to ensure erosion and sediment controls are adequate and that the site has General Construction Permit coverage prior to issuing permits. The County will prioritize construction sites and conduct inspections based on potential water quality impacts.

9. We applaud the inclusion of Low Impact Development in the SWMP. However, the lack of a budgetary commitment to this element may render this measure impotent and ultimately fail to meet the MEP standard. (p 3, first full paragraph.)

Response: The County has allocated \$494,000 for permit year-one post-construction storm water management implementation. The County has also applied for and received two grants totaling \$1,050,000 to construct two LID projects. The County has demonstrated a commitment to LID implementation through the BMPs in the SWMP and their proposed storm water budget.

10. The Pollution Prevention/Good Housekeeping program is vague and fails to meet the federally mandated MEP standard. The County must revise the program to provide for street sweeping operations to commence immediately, revise the SWMP to provide development of procedures for used motor oil disposal within one year, and explicitly provide for dechlorination of swimming pools prior to disposal. (p 3, paragraph 3.)

Response: The County does not currently have a street-sweeping program. The SWMP provides time to hire staff, obtain equipment, and start the street sweeping program. BMP MO8 indicates the County will audit vehicle maintenance and fueling procedures and practices to ensure proper material storage and spill prevention and control, proper cleaning procedures, proper material disposal, and oil recycling. BMP MO10 specifically indicates that the County will implement procedures for dechlorinating water from County operated swimming pools starting in permit year-one.

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